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Plaintiffs Clarke and Rebecca Wixon and
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[Additional counsel appear on signature page]

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

Clarke and Rebecca Wixon and Norman
and Barbara Wixon, derivatively and on behalf of
themselves and all others similarly situated,

Plaintiffs,

v.

Wyndham Resort Development Corp. (f/k/a
Trendwest Resorts, Inc.), Gene Hensley, David
Herrick, John Henley, Peggy Fry and John
McConnell, and nominally, WorldMark, The
Club,

Defendants.

Case No. C 07-02361 JSW (BZ)

STIPULATION AND ~~PROPOSED~~
ORDER EXTENDING TIME TO
RESPOND TO DIRECTOR
DEFENDANTS' INTERROGATORIES

CLASS AND DERIVATIVE ACTION

1 WHEREAS the Court, on April 14, 2009, entered its order, *inter alia*, directing that Plaintiffs
2 Clarke and Rebecca Wixon and Norman and Barbara Wixon (collectively, "Plaintiffs") provide further
3 responses to Defendants Gene Hensley, David Herrick, John Henley, Peggy Fry and John McConnell's
4 (collectively, the "Director Defendants") Interrogatories Nos. 1(a), 2(a), 2(b), 3(a), 3(b), 4(a), and 4(b)
5 (the "Director Defendants' Interrogatories") within 60 days after the Court's ruling on Director
6 Defendants' motion challenging Plaintiffs' adequacy as representatives under Rule 23.1 of the Federal
7 Rules of Civil Procedure (Dkt. No. 240);

8 WHEREAS the Court, on October 19, 2009, entered its order granting in part and denying in
9 part the Director Defendants' Rule 23.1 motion (Dkt. No. 420);

10 WHEREAS, in accordance with the Court's April 14, 2009 order, Plaintiffs' further responses
11 to the Director Defendants' Interrogatories are due on December 18, 2009;

12 WHEREAS the parties are discussing methods for resolving this litigation, with assistance from
13 the Honorable William J. Cahill (Ret.) of JAMS; and

14 WHEREAS Plaintiffs have requested and the Director Defendants have agreed to a three week
15 extension of the date by which Plaintiffs' further responses shall be provided;

16 IT IS HEREBY STIPULATED AND AGREED by and between Plaintiffs and the Director
17 Defendants, by and through their respective counsel, that, subject to the approval of the Court,
18 Plaintiffs' further responses to the Director Defendants' Interrogatories shall be served on January 8,
19 2010, rather than December 18, 2009.

1 Dated: December 9, 2009

Respectfully submitted,

2 **GIRARD GIBBS LLP**

3 By: /s/ Elizabeth C. Pritzker
4 Elizabeth C. Pritzker

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18 *Attorneys for Individual and Representative Plaintiffs Clarke*
19 *and Rebecca Wixon and Norman and Barbara Wixon*

1 Dated: December 9, 2009

**LAW OFFICES OF JUDITH H. RAMSEYER
PLLC**

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3 Judith H. Ramseyer

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14 *Attorneys for Defendants Gene Hensley,
15 David Herrick, John Henley, Peggy Fry and
16 John McConnell*

17 **[PROPOSED] ORDER**

18 PURSUANT TO STIPULATION, IT IS SO ORDERED.

19
20 DATED: December 10, 2009

21 
22 The Honorable Bernard Zimmerman
23 UNITED STATES MAGISTRATE JUDGE
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1 **CERTIFICATE OF SERVICE**

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3 I, Elizabeth C. Pritzker, hereby certify that on December 9, 2009, I filed the following

4 document(s):

5 **1. STIPULATION AND [PROPOSED] ORDER EXTENDING TIME TO RESPOND**

6 **TO DIRECTOR DEFENDANTS' INTERROGATORIES**

7 By ECF (Electronic Case Filing): I e-filed the above-detailed document utilizing the United

8 States District Court, Northern District of California's mandated ECF service on December 9, 2009.

9 Counsel of record are required by the Court to be registered e-filers, and as such are automatically e-served with a copy of the document(s) upon confirmation of e-filing.

10 I declare under penalty of perjury that the foregoing is true and correct. Executed at

11 San Francisco, CA on December 9, 2009.

12 _____/S/ Elizabeth C. Pritzker

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